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PATENT Attorney Docket No. ADI-097

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S):

Taniguchi et al.

CONFIRMATION NO.

8149

SERIAL NO.:

10/717,985

**GROUP NO.:** 

1733

FILING DATE:

November 20, 2003

**EXAMINER:** 

Barbara J. Musser

TITLE:

THREE-DIMENSIONAL PANELS FOR A GAME BALL AND

**RELATED METHODS** 

#### CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence, and any document(s) referred to as enclosed herein, is/are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 29th day of June, 2005.

Carrah Malone

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

#### Submitted herewith is/are:

- 1. Transmittal Form (1 page);
- 2. Response to Restriction Requirement (1 page); and
- 3. Return Receipt Postcard

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TRANSMITTAL EXA			Filing Date	· · · · · · · · · · · · · · · · · · ·	November 20, 2003		
			First Named	rst Named Inventor		Taniguchi	
			Group Art Unit Examiner Name		1733		
					Barbara J. Musser		
			Attorney Do	ocket No.	ADI-097		
			Patent No.	Not applicable			
			Issue Date		Not applicable		
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	☐ Check Attached☐ Copy of Fee		Formal Drawin	ng(s)		Appeal Brief (in triplicate)	
	Transmittal Form Amendment/Response		Request For C Examination (			Status Inquiry	
	☐ Second Preliminary ☐ After Final ☐ Affidavits/declaration(s) ☐ Letter to Official Draftsperson		Power of Atto	·	⊠ ⊠	Return Receipt Postcard  Certificate of First Class Mailing under 37 C.F.R. 1.8	
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			••			Response to Restriction Requirement	
	Information Disclosure Statement		Small Entity S	tatement		1 page)	
	Form PTO-1449 Copies of IDS Citations		CD(s) for large	e table or computer			
	Certified Copy of Priority Document(s) Sequence Listing submission Paper Copy/CD Computer Readable Copy Statement verifying identity of above		Amendment After Allowance Request for Certificate of Correction Certificate of Correction (in duplicate)				
CORRESPONDENCE ADDRESS				SIGNATURE BL	оск		
Boston, MA 02109 Tel. No.: (617) 570-1000 For May (617) 523 1231				Respectfully submitted,  Date: June 29, 2005  Reg. No. 50,773  Tel. No.: (617) 570-1352  Fax No.: (617) 523-1231  Respectfully submitted,  Mark L. Beleborodov  Attorney for Applicant(s)  Goodwin Procter LLP  Exchange Place  Boston, MA 02109			



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# RESPONSE TO REQUIREMENT FOR RESTRICTION AND SPECIES ELECTION

This paper responds to an Office action mailed from the U.S. Patent and Trademark Office on June 2, 2005, in connection with the above-identified patent application.

The Examiner has required the Applicants to elect one of two perceived patentably distinct groups of claims: Group I (claims 1-23, and 25-31), or Group II (claims 24 and 32). Applicants hereby elect, without traverse, Group I (claims 1-23, and 25-31) drawn to methods of making a game ball and a panel therefor, and reserve the right to pursue non-elected claims in one or more related applications.

In addition, the Examiner has identified two perceived patentably distinct species of the claimed invention.

- Species A, in which the top layer is formed prior to forming the backing layer; and
- Species B, in which the backing layer is formed prior to forming the top layer.

In the event no generic claim is ultimately held to be allowable, Applicants hereby elect, with traverse, the species in which the top layer is formed prior to forming the backing layer (Species A). Claims of Group I readable on this species include claims 1-5, 8-23, and 25-31. Applicants respectfully traverse the species election requirement insofar as a search for publications relating to any of the species would reveal publications relating to any of the other species and, thus, would not impose a serious burden on the Examiner. Accordingly, Applicants respectfully request that the species election be withdrawn. Applicants reserve the right to pursue claims readable on any of the non-elected species in one or more related applications if the species election requirements are maintained.

Applicants respectfully request that the application now proceed promptly to examination. Applicants believe that no additional fees are necessitated by the present Response. However, in the event that any additional fees are due, the Commissioner is hereby authorized to charge any such fees to Deposit Account No. 07-1700.

Respectfully submitted,

Date: June 29, 2005

Mark L. Belobo odov, Reg. No. 50,773

Attorney for Applicants

Goodwin Procter LLP (Customer No. 051414)

Exchange Place

Boston, Massachusetts 02109

Tel. No.: (617) 570-1352 Fax No.: (617) 523-1231